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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 289th meeting
Held at Headquarters, New York, on Thursday, 10 November 2005, at 3 p.m.

Chairman: Mr. Badji ..... (Senegal)

Contents

Expression of sympathy in connection with the recent tragic events in Amman, Jordan

Tribute to the memory of Mr. Yasser Arafat, former Chairman of the Executive Committee of the Palestine Liberation Organization and former President of the Palestinian National Authority

Adoption of the agenda

Thirtieth anniversary of the adoption of General Assembly resolution 3376 (XXX) of 10 November 1975

Request by the Bolivarian Republic of Venezuela to participate in the work of the Committee as an observer

Consideration of draft resolutions on the question of Palestine

Accreditation of civil society organizations to the Committee

Other matters

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The meeting was called to order at 3.20 p.m.

Expression of sympathy in connection with recent tragic events in Amman, Jordan

1. **The Chairman**, on behalf of all the members of the Committee, expressed sympathy to the Government and people of Jordan in connection with the recent tragic events in Amman.

Tribute to the memory of Mr. Yasser Arafat, former Chairman of the Executive Committee of the Palestine Liberation Organization and former President of the Palestinian National Authority

2. **The Chairman**, on behalf of all the members of the Committee, paid a tribute to the memory of Mr. Yasser Arafat on the eve of the first anniversary of his death.

Adoption of the agenda

3. *The agenda was adopted.*

Thirtieth anniversary of the adoption of General Assembly resolution 3376 (XXX) of 10 November 1975

4. **The Chairman**, delivering a statement by the Bureau of the Committee, said that the thirtieth anniversary of the establishment of the Committee was not a cause for celebration but rather an opportunity to reflect upon decades of failed efforts to resolve the question of Palestine. It was also a reminder that the Committee must redouble its efforts to bring about a just solution.

5. It was on 10 November 1975 that the General Assembly had adopted resolution 3376 (XXX) establishing the Committee and outlining its mandate. The Assembly had expressed its deep concern that no just solution to the problem of Palestine had yet been achieved and had recognized that the problem continued to endanger international peace and security. It had reaffirmed that the inalienable rights of the Palestinian people included the right to self-determination without external interference, the right to national independence and sovereignty, and the right of Palestinians to return to their homes and property. The Committee remained the only intergovernmental body in the entire United Nations family devoted exclusively to political aspects of the question of Palestine.

6. In a report to the Security Council in June 1976, the Committee had affirmed that the question of Palestine was at the heart of the Middle East problem and that no solution could be envisaged without taking fully into account the legitimate aspirations of the Palestinian people. It had urged the Council to promote action for a just solution, using all the powers conferred on it by the Charter of the United Nations. The Committee's recommendations had included a two-phase plan for the return of Palestinians; a timetable for the withdrawal of Israeli forces from the occupied territories by 1 June 1977, with the provision, if necessary, of temporary peacekeeping forces; an end to the establishment of settlements; recognition by Israel of the applicability of the Fourth Geneva Convention, the Convention relative to the Protection of Civilian Persons in Time of War, to the occupied territories pending withdrawal; and endorsement of the inherent right of Palestinians to self-determination, national independence and sovereignty in Palestine. The Committee had also endorsed the view that the United Nations, which had a historical responsibility towards the Palestinian people, should render to the Palestinian authorities the necessary economic and technical assistance for the development of the new Palestinian State. The Committee's original recommendations had not been adopted by the Security Council and had not been implemented. They had, however, been endorsed by an overwhelming majority in the General Assembly.

7. The Committee's programme of work had been gradually expanded. With the support of the Division for Palestinian Rights, it had come to include a variety of activities, such as the convening of international meetings, a publications programme, the development of the United Nations Information System on the Question of Palestine (UNISPAL), the establishment of cooperation with a wide network of civil society organizations, and the organization of an annual training programme for staff of the Palestinian National Authority. The Committee had always advocated a peaceful solution of the question of Palestine in accordance with international law. It had welcomed the Middle East peace process initiated in 1991 at the Madrid Peace Conference and had actively encouraged the implementation of the Oslo Accords. It had given its full support to the road map introduced

by the Quartet with a view to fulfilling the vision of two States, Israel and Palestine, living side by side within secure and recognized borders. The Committee continued to promote the full exercise of the inalienable rights of the Palestinian people and to mobilize international assistance for, and solidarity with, the Palestinian people.

8. In September 2005, the Committee had expressed the view that the removal of Israeli settlements from the Gaza Strip and parts of the northern West Bank and the withdrawal of Israeli forces from the Gaza Strip were promising steps which might restart the stalled peace process. It had expressed the hope that similar steps would follow in the rest of the West Bank, including East Jerusalem, and breathe new life into the peace process. Yet the Committee continued to voice its concern about the occupying Power's actions on the ground, including the expansion of settlements in the West Bank and East Jerusalem and the accelerated construction of the illegal wall in the Occupied Palestinian Territory. The Committee reminded Israel that such activities contravened international law, as spelled out in the advisory opinion of the International Court of Justice and it called upon all Governments to fulfil their obligations under international law and take the necessary steps to ensure compliance by Israel with its international obligations.

9. In accordance with its mandate from the General Assembly, the Committee remained committed to working hard to help the Palestinian people to exercise its inalienable rights. It would continue to endeavour to enhance international awareness of the question of Palestine and thus contribute to maintaining the permanent responsibility of the United Nations in that regard. On behalf of the Committee, the Bureau thanked all the individuals and organizations which had supported the Committee in its quest for a comprehensive, just and lasting settlement of the question of Palestine. Over the past 30 years their commitment, political activism and initiatives had strengthened the efforts of the United Nations and of the Committee.

10. **Mr. Mansour** (Observer for Palestine), delivering a message from Mr. Mahmoud Abbas, Chairman of the Executive Committee of the Palestine Liberation Organization and President of the Palestinian National Authority, said that the thirtieth anniversary of the establishment of the Committee was an occasion to remember the constant commitment of the United Nations with regard to the question of Palestine. It was also, however, an occasion marked with sadness by the tragedy of the Palestinian people, which had been displaced from its homeland more than half a century earlier and was still unable to exercise its inalienable human rights.

11. The United Nations had striven to keep the international community focused on the question of Palestine in order to bring an end to the human rights violations endured by the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and to the Israeli occupation. The permanent responsibility of the United Nations with regard to the question of Palestine had been unequivocally reaffirmed by the International Court of Justice in its advisory opinion. It should be remembered that, in resolution 3376 (XXX), the General Assembly had mandated the Committee to recommend a programme to enable the Palestinian people to exercise its inalienable rights. In its very first report, the Committee had affirmed that the question of Palestine was at the core of the Middle East problem and that any solution must take fully into account the legitimate rights of the Palestinian people. It had also called for an end to the establishment of illegal settlements by the occupying Power and had urged Israel to accept the applicability of the Fourth Geneva Convention to the Occupied Palestinian Territory.

12. Regrettably, the problems initially highlighted by the Committee had intensified with the passage of time. The Palestinian people was still denied its human rights, and Israel had continued with its settlements, the wall, the siege of East Jerusalem, the imprisonment of thousands of civilians, the confiscation and destruction of land and property, and restrictions on movement. The international community must make a serious effort to uphold international law in order to create an environment conducive to a just and peaceful resolution of the question of Palestine.

13. The current meeting was taking place on the eve of the first anniversary of the death of former President Yasser Arafat, who had first come to the General Assembly in 1974 as the representative of the Palestine Liberation Organization to urge the international community to support the Palestinian people. The Palestine Liberation Organization and the Palestinian National Authority renewed that call. The Committee's mandate remained valid, and all Member States must cooperate with it in its programme of work. The

Palestinian people and its leaders paid a tribute to the Committee and to the Division for Palestinian Rights for their efforts to achieve a just and peaceful settlement on the basis of two States living side by side in peace and security within the 1967 borders.

14. The day when the Committee finally discharged its mandate would be the day on which the Palestinian people achieved the exercise of its inalienable rights, including the right to self-determination in an independent State of Palestine, with East Jerusalem as its capital.

15. **Mr. Abdelaziz** (Observer for Egypt), speaking on behalf of the Arab Group, said that 30 years after the establishment of the Committee the world was still witnessing the suffering of the Palestinian people under Israeli occupation and the denial of the exercise of its inalienable rights, including the right to found an independent State. Regrettably, despite Israel's unilateral withdrawal from the Gaza Strip and some settlements in the West Bank, there had been no positive progress in terms of enabling the Palestinian National Authority to exercise its responsibilities in the Palestinian territories. The situation of the Palestinian people had not changed in the areas from which Israel had withdrawn. The policy of closures continued, as did the construction of the illegal wall, and Israel was still pursuing its policy of assassinating Palestinian activists. It was also continuing to establish settlements on Palestinian territory in the West Bank, in contravention of its international obligations.

16. In spite of the Committee's efforts and the resolutions adopted every year by the General Assembly reaffirming the legitimate rights of the Palestinian people and demanding Israel's withdrawal from the Palestinian territories occupied in 1967, the international community remained unable to end a bitter era of conflict. In that context, the Committee's work remained vital and deserved unconditional support; the Committee must be provided with the accurate information which it needed to fulfil its mandate. The Arab Group would object to any attempt to use the reform of United Nations as a pretext for eliminating the Committee or restricting its activities.

17. The Arab Group reaffirmed its full support for the Committee, which must continue its efforts until the Palestinian people could truly exercise its rights and establish its own independent Palestinian State. It also reaffirmed its support for all the international efforts to achieve the establishment of such a State through the honest implementation of the road map. Until that objective was obtained, Israel must fulfil its obligations as occupying Power, in particular the obligation to improve the humanitarian situation of the Palestinian people and refrain from practices harmful to the exercise of its rights.

18. **Mr. Wali** (Nigeria), speaking on behalf of the African Group, said that ever since its establishment the Committee had made a tremendous contribution to the peace process in the Middle East. Africa shared the Committee's aspiration for the region; the Organization of African Unity, and now the African Union, had adopted several resolutions in support of the rights of the Palestinian people. The demands of the Palestinian people for the exercise of its inalienable rights, including the right to establish an independent State, were legitimate.

19. The African Group urged the international community to support an internationally promoted solution to the conflict between Israel and Palestine on the basis of the resolutions of the Security Council, the Arab peace initiative and the road map. It called on both sides to commit themselves to the implementation of the road map, including the total withdrawal of Israeli forces, the release of prisoners, and an end to the establishment of settlements in the occupied Palestinian territories. The African Group commended the practical and courageous steps taken by the Palestinian leadership and appealed to the international community and the Quartet to provide it with the necessary political and financial support and to take steps to reinvigorate the negotiations in order to salvage the peace process.

20. **Mr. Hassan** (Observer for Yemen), speaking on behalf of the Organization of the Islamic Conference, said that the Conference strongly condemned the heinous terrorist acts perpetrated in Amman. The Palestinian people had endured more than 50 years of occupation and suffering. Regrettably, as the Committee marked the thirtieth anniversary of its establishment, the situation in the Occupied Palestinian Territory continued to deteriorate. There had been an escalation of hostilities and a worsening of the barbarous and inhuman acts committed by the occupying Israeli forces.

21. The Organization of the Islamic Conference appreciated the Committee's work and the positions of

principle it had adopted, which reinforced the struggle of the Palestinian people to secure its inalienable rights. In accordance with United Nations resolutions and international law, which Israel continued to defy, the Organization had a permanent responsibility to the Palestinian people. The Committee, for its part, had been instructed by the General Assembly to recommend a programme of implementation, designed to enable the Palestinian people to exercise its inalienable rights. As the Committee's annual reports to the Assembly demonstrated, that goal was far from being achieved. Israel was continuing its efforts to put an end to the Palestinian struggle. The construction of the expansionist wall went on, in defiance of the recent advisory opinion of the International Court of Justice, and Israel was pursuing its attempts to transform Jerusalem into a Jewish city through the suppression of its Arab Muslim character and the seizure of the surrounding agricultural land. Against that background, it was imperative for the Committee to resist any efforts to undermine it. It must pursue its work until the Israeli occupation ended and the inalienable rights of the Palestinian people were restored.

22. **Mr. Camilleri** (Malta) said that the thirtieth anniversary of the adoption of General Assembly resolution 3376 (XXX) was a sad reminder that the task assigned to the Committee had yet to be fulfilled. However, it was also an opportunity to reaffirm the fundamental values and principles through which the United Nations approached the question of Palestine: the equal rights and self-determination of peoples, the promotion of human rights and fundamental freedoms, and the peaceful settlement of disputes in accordance with international law. In that spirit, the Committee had welcomed the peace process initiated in Madrid, encouraged the implementation of the Oslo Accords and supported all efforts to halt the violence and achieve the resumption of negotiations with a view to ending the Israeli occupation and resolving the question of Palestine in all its aspects.

23. Important elements of the Committee's work included its role in organizing meetings and conferences on issues related to Palestine and its strong and effective working relations with non-governmental organizations, academic institutions, think tanks and the media. Through its interaction with civil society, it had established an extensive network of contacts that covered many countries, including Israel. The Committee also interacted with key regional organizations, among them the European Union, the African Union, the Arab League and the Non-Aligned Movement. The Division for Palestinian Rights had made a valuable contribution to the Committee's work, inter alia through the preparation of reports and publications, the establishment of a training programme for staff of the Palestinian Authority, and the development of the web-based United Nations Information System on the Question of Palestine.

24. Malta was a founding member of the Committee and had provided its Rapporteur since its establishment. Its participation in the Committee was inspired by certain fundamental beliefs. First, it considered that the United Nations had a permanent responsibility to the Palestinian people. Second, it was firmly convinced that a just, comprehensive and durable solution to the question of Palestine could be achieved only through peaceful means, and, it believed that, while it was for the parties themselves to negotiate a settlement, the international community must support them in taking bold, and often difficult, decisions. Third, his Government was also concerned about the impact of the situation with respect to Palestine on security and cooperation in the Mediterranean and considered that, through its membership of the European Union, Malta would be able to play a greater role in that regard.

25. Lastly, he reaffirmed the Committee's noble objectives and expressed the hope that they would be achieved in the foreseeable future.

26. **Mr. Hamidon Ali** (Malaysia), speaking on behalf of the Non-Aligned Movement, condemned the terrorist attacks in Amman. Since its establishment in 1975, the Committee had made a significant contribution to the Palestinian cause. In particular, it had helped to underscore that a solution to the question of Palestine could be achieved only with the complete restoration of the Palestinian people's inalienable rights. That could be facilitated by Israel's withdrawal from all occupied Arab territories and the return of Palestinian refugees and displaced persons to their homes and properties. He called on Israel to afford the Palestinians the opportunity to exercise their inalienable rights without delay.

27. As the Committee had stated in its first report, the question of Palestine was at the heart of the Middle East problem, and no solution in the Middle East could be envisaged that did not fully take into account the

legitimate aspirations of the Palestinian people. The Committee had also expressed the view that the United Nations had a historical duty and responsibility to render all assistance necessary to promote the economic development and prosperity of an independent Palestinian entity. Those observations remained as valid and relevant as they had been almost 30 years earlier.

28. The Non-Aligned Movement remained steadfast in its support for the legitimate right of the Palestinian people to achieve self-determination, national independence and sovereignty. It also wished to reaffirm its support for the work of the Committee. It looked forward to the day when Palestinians could fully exercise their inalienable rights in their own homeland, the State of Palestine with East Jerusalem as its capital.

29. **Mr. Kariyawasam** (Observer for Sri Lanka), speaking on behalf of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, said that the Committee on the Exercise of the Inalienable Rights of the Palestinian People had achieved much over the past 30 years, despite the difficulties it had encountered. It had taken the lead in organizing and coordinating activities aimed at sensitizing the international community to the plight of the Palestinian people. He noted, in particular, the United Nations International Meeting on the Question of Palestine, held on 8 and 9 March 2005 in Geneva, which had had as its theme "Implementing the Advisory Opinion of the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory: the role of Governments, intergovernmental organizations and civil society".

30. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories was deeply concerned about the dire human rights situation in the Occupied Palestinian Territory and in the occupied Syrian Golan. Among the contributing factors were the persistent Israeli presence in the occupied territories, notwithstanding the recent withdrawal from the Gaza Strip, and the continuing construction of the wall with all its adverse effects on the daily lives of the Palestinians.

31. Over the years, the two Committees had sought to remind Israel of its international obligations. Unfortunately, Israel had yet to demonstrate that it had the political will to bring about real progress in the occupied territories. The two Committees must therefore pursue their efforts.

32. **Mr. Farhâdi** (Afghanistan) said that, over the past three decades, the Committee had had the task of making the voice of the Palestinian people heard and promoting the implementation of the resolutions and decisions of the General Assembly and the Security Council concerning the question of Palestine and the rights of Palestinians. In that connection, his delegation was grateful for the support provided to the Committee by the Division for Palestinian Rights. It also appreciated Malta's participation in the Committee's work. The doors of the Committee must remain open to other European Union countries.

33. He noted with regret that the suffering of the Palestinian people not only continued but had grown worse with the construction of the illegal separation wall and the establishment of new Israeli settlements. It was therefore crucial for the Committee to continue its activities.

34. With regard to Jerusalem, few were aware that it was not only a Palestinian or an Arab question, but also an Islamic one.

35. It was to be hoped that the day would come when the Palestinian people would achieve its inalienable rights, including its right to self-determination and to an independent State with East Jerusalem as its capital. That was essential for peace in the Middle East and around the world.

36. **Mr. Hassan** (Observer for Jordan) expressed gratitude for the condolences offered for the victims of the recent terrorist attacks in Amman. His Government condemned such terrorist, criminal acts. It would pursue its efforts to combat terrorism and bring the perpetrators of the attacks to justice.

37. **Mr. Requeijo Gual** (Cuba) noted that the Committee had been established by a resolution of the General Assembly, the most democratic and representative body in the United Nations. Accordingly, there could be no question as to its legitimacy. Its many achievements were reflected in its annual reports to the General Assembly. Regrettably, 30 years after its establishment, the need for its

activities persisted. Indeed, the inalienable rights of the Palestinian people continued to be violated on a daily basis. The Palestinians were victims of a double standard with respect to the defence of human rights, with some States taking the position that their rights were not as important as those of other peoples. A number of countries even wished to abolish the Committee, the Division for Palestinian Rights and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, as if those bodies belonged to a distant past. Until the Palestinians achieved their inalienable rights, the Committee must continue to support their just struggle, so that one day they could establish a free, independent, sovereign Palestinian State in the Gaza Strip and the West Bank, with East Jerusalem as its capital.

38. **Mr. Mansour** (Observer for Palestine) expressed appreciation for all the condolences expressed on the occasion of the first anniversary of Mr. Yasser Arafat's death, and for the Committee's continued support for the struggle of the Palestinian people. He thanked all the members and observers for their tireless efforts in advancing the cause of Palestine. He looked forward to the day when Palestine would no longer need the help of members of the Committee but would join hands with them in order to help other suffering nations.

Request by the Bolivarian Republic of Venezuela to participate in the work of the Committee as an observer

39. **The Chairman** announced that, in a note verbale dated 5 August 2005, the Bolivarian Republic of Venezuela had expressed a wish to participate in the work of the Committee as an observer. That country had always been a firm supporter of the Committee's objectives, and he was confident that the Committee would welcome its participation as an observer. He suggested that the Committee should accede to the request.

40. *It was so decided.*

41. **Ms. Taj El Dine** (Bolivarian Republic of Venezuela) thanked the Committee on behalf of her country's Permanent Representative who was, regrettably, unable to attend himself. She expressed her country's pride at being invited to participate in the Committee's work in the noble cause of promoting the rights of the Palestinian people, such as the right to self-determination and all the other rights embodied in the Charter of the United Nations which the Bolivarian Republic of Venezuela would continue to defend, nationally and internationally, as the basis for a true peace in the Middle East. She expressed her country's full support for the Committee's activities.

42. **The Chairman** asked the representative of the Bolivarian Republic of Venezuela to convey to the Permanent Representative and to President Chavez the Committee's gratitude for the principled position which their country had always taken on Palestine and for its decision to participate in the work of the Committee.

Consideration of draft resolutions on the question of Palestine

43. **The Chairman** drew the Committee's attention to the texts of four draft resolutions to be submitted to the General Assembly under agenda item 37. They had been discussed and approved by the Bureau, which recommended them for approval by the Committee. The draft resolutions were similar to those adopted on the item the previous year, but they had been updated to reflect the recent developments on the ground and in the peace process, and a number of substantive, as well as editorial and technical, changes had been made.

44. There were no substantive changes in the first three draft resolutions on the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Division for Palestinian Rights of the Secretariat and the special information programme on the question of Palestine of the Department of Public Information of the Secretariat. If he heard no objection, he would take it that the Committee decided to approve those three draft resolutions.

45. *It was so decided.*

46. **The Chairman** informed the Committee that some substantive, as well as editorial and technical, changes had been made in the fourth draft resolution, on the peaceful settlement of the question of Palestine. In that connection, he drew attention to the eighteenth, nineteenth, twenty-first, twenty-fourth and twenty-fifth preambular paragraphs and to paragraphs 5, 6, 8, 10 and 15. If he heard no objection, he would take it that the Committee decided to approve the draft resolution.

47. *It was so decided.*

Accreditation of civil society organizations to the Committee

48. **The Chairman** drew the Committee's attention to the document entitled Working Paper No. 4, which contained applications from seven non-governmental organizations for accreditation to the Committee. The Bureau, assisted by the Division for Palestinian Rights, had reviewed the applications and concluded that the organizations concerned fulfilled the established criteria for accreditation. He therefore took it that the Committee wished to approve the applications.

49. *It was so decided.*

Other matters

50. **The Chairman** announced that the International Day of Solidarity with the Palestinian People would be observed on Tuesday, 29 November 2005. In view of the importance attached to that annual event, he requested all member and observer delegations to be present at the ambassadorial level. He also urged all members and observers to participate actively in the debate on agenda item 37 "Questions of Palestine" in the plenary Assembly.

The meeting rose at 5.25 p.m.